

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LUU DINH LE,

Plaintiff,

v.

DANIEL T. SATTERBERG, et al.,

Defendants.

CASE NO. C23-0473JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable James L. Robart:

*Pro se* Plaintiff Luu Dinh Le removed this action from the King County Superior Court on March 28, 2023. (NOR (Dkt. # 1).) According to the King County Superior Court's docket, Mr. Le filed a "notice of filing petition for removal to U.S. District Court" in that court on April 4, 2023. *See Docket, Le v. Staterberg*, Case No. 23-2-04586-6KNT (King Cnty. Super.) (capitalization omitted). Two days later, Defendants filed a motion to dismiss Mr. Le's complaint in the King County Superior

1 Court. *See id.* The Superior Court granted the motion to dismiss on May 4, 2023. *See*  
2 *id.*

3 Under 28 U.S.C. § 1441, only defendants may remove an action from state court  
4 to district court. 28 U.S.C. § 1441; *see also, e.g., Chicago, R.I. & P.R. Co. v. Stude*, 346  
5 U.S. 574, 580 (1954) (noting that the plaintiff cannot remove the matter); *Edwards v.*  
6 *Edwards*, No. 2:22-CV-08814-SB-JC, 2023 WL 172020, at \*1 (C.D. Cal. Jan. 12, 2023)  
7 (remanding case because plaintiff could not remove his own action). Because Mr. Le is  
8 the plaintiff in this action, his purported removal of his case to this court was improper.  
9 Therefore, the court ORDERS the parties to file briefing, limited to 1,400 words,  
10 regarding (1) whether this case should be dismissed or remanded in light of the improper  
11 removal and (2) what effect, if any, the King County Superior Court's dismissal order has  
12 on this case. The parties must file their briefs by no later than **May 19, 2023**.

13 Filed and entered this 5th day of May, 2023.

14 RAVI SUBRAMANIAN  
15 Clerk of Court

16 s/ Ashleigh Drecktrah  
17 Deputy Clerk  
18  
19  
20  
21  
22